



09-20-04

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2621

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

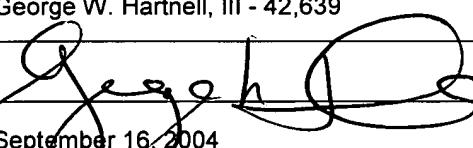
(to be used for all correspondence after initial filing)

		Application Number	09/684,122
		Filing Date	October 6, 2000
		First Named Inventor	Mitsuru Tokuyama
		Art Unit	2621
		Examiner Name	P. L. Edwards
Total Number of Pages in This Submission	127	Attorney Docket Number	55288(70904)

### ENCLOSURES (Check all that apply)

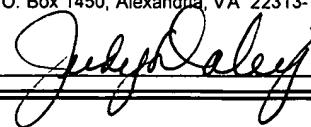
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return receipt postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Copy of IDS
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Form PTO/SB/08
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	Certificates of Express Mailing
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	EDWARDS & ANGELL, LLP George W. Hartnell, III - 42,639
Signature	
Date	September 16, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV437816606US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 16, 2004

Signature:  (Judy Daley)



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known	
Application Number	09/684,122
Filing Date	October 6, 2000
First Named Inventor	Mitsuru Tokuyama
Examiner Name	P. L. Edwards
Art Unit	2621
Attorney Docket No.	55288(0904)

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number **04-1105**

Deposit Account Name **Edwards & Angell, LLP**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional filing fee

SUBTOTAL (1) (\$ 0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
Total Claims	<input type="checkbox"/> x <input type="checkbox"/>	<input type="checkbox"/>
Independent Claims	<input type="checkbox"/> x <input type="checkbox"/>	<input type="checkbox"/>
Multiple Dependent	<input type="checkbox"/> x <input type="checkbox"/>	<input type="checkbox"/>

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
1202	18	2202	9 Claims in excess of 20
1201	86	2201	43 Independent claims in excess of 3
1203	290	2203	145 Multiple dependent claim, if not paid
1204	86	2204	43 ** Reissue independent claims over original patent
1205	18	2205	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

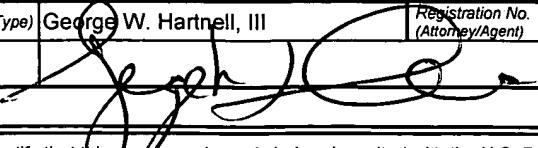
\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051	130	2051 65 Surcharge – late filing fee or oath	<input type="checkbox"/>
1052	50	2052 25 Surcharge – late provisional filing fee or cover sheet.	<input type="checkbox"/>
1053	130	1053 130 Non-English specification	<input type="checkbox"/>
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	<input type="checkbox"/>
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	<input type="checkbox"/>
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	<input type="checkbox"/>
1251	110	2251 55 Extension for reply within first month	<input type="checkbox"/>
1252	420	2252 210 Extension for reply within second month	<input type="checkbox"/>
1253	950	2253 475 Extension for reply within third month	<input type="checkbox"/>
1254	1,480	2254 740 Extension for reply within fourth month	<input type="checkbox"/>
1255	2,010	2255 1,005 Extension for reply within fifth month	<input type="checkbox"/>
1401	330	2401 165 Notice of Appeal	<input type="checkbox"/>
1402	330	2402 165 Filing a brief in support of an appeal	<input type="checkbox"/>
1403	290	2403 145 Request for oral hearing	<input type="checkbox"/>
1451	1,510	1451 1,510 Petition to institute a public use proceeding	<input type="checkbox"/>
1452	110	2452 55 Petition to revive – unavoidable	<input type="checkbox"/>
1453	1,330	2453 665 Petition to revive - unintentional	<input type="checkbox"/>
1501	1,330	2501 665 Utility issue fee (or reissue)	<input type="checkbox"/>
1502	480	2502 240 Design issue fee	<input type="checkbox"/>
1503	640	2503 320 Plant issue fee	<input type="checkbox"/>
1460	130	1460 130 Petitions to the Commissioner	<input type="checkbox"/>
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	<input type="checkbox"/>
1806	180	1806 180 Submission of Information Disclosure Stmt	180.00
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	<input type="checkbox"/>
1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	<input type="checkbox"/>
1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))	<input type="checkbox"/>
1801	770	2801 385 Request for Continued Examination (RCE)	<input type="checkbox"/>
1802	900	1802 900 Request for expedited examination of a design application	<input type="checkbox"/>
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$ 180.00)			

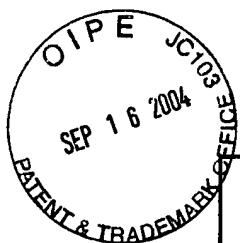
## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	George W. Hartnell, III	Registration No. (Attorney/Agent)	42,639	Telephone	(617) 439-4444	
Signature					Date	September 15, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV437816606US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 15, 2004 Signature:  (Judy Daley)



PTO/SB/08a/b (08-03)  
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Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
				Application Number	09/684,122
				Filing Date	October 6, 2000
				First Named Inventor	Mitsuru Tokuyama
				Art Unit	2621
				Examiner Name	P.L. Edwards
Sheet	1	of	1	Attorney Docket Number	55288 (70904)

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
BB	JP-10-098627		04-14-1998	Matsushita Electric Ind. Co., Ltd.	A
BC	JP-10-271326		10-09-1998	Sharp Corp.	A
BD	JP-11-027517		01-29-1999	Sharp Corp.	A
BE	JP-11-069150		03-09-1999	Toshiba Corp.	A
BF	JP-11-096372		04-09-1999	Omron Corp.	A
BG	JP-11-213152		08-06-1999	Toshiba Corp.	A
BH	JP-5-50187		07-28-1993	Unknown	A

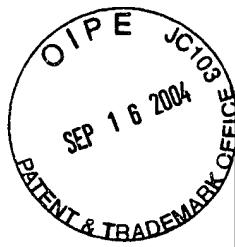
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. A: English language abstract only.

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	CA	Office Action for corresponding application number 11-291947 from Japan Patent Office mailed 26 August 2004 (4 pp.) and English translation thereof (8 pp.)			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Application No. (if known): 09/684,122

Attorney Docket No.: 55,288(70904)

## Certificate of Express Mailing Under 37 CFR 1.10

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MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on September 16, 2004  
Date

A handwritten signature in cursive ink that appears to read "Judy Daley".

Signature

Judy Daley

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Information Disclosure Statement by Applicant (Form PTO/SB/08);  
Eight (8) References cited thereon.



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Dated: September 16, 2004 Signature:

*Judy Daley*  
(Judy Daley)

Docket No.: 55,288(70904)  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Mitsuru Tokuyama et al.

Application No.: 09/684,122

Confirmation No.: 3208

Filed: October 6, 2000

Art Unit: 2621

For: IMAGE PROCESSING DEVICE FOR  
IMAGE REGION DISCRIMINATION

Examiner: P. L. Edwards

### INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

A copy of each reference on the PTO/SB/08 is attached.

458728

09/21/2004 GWORD0F1 00000034 09684122  
01 FC:1806

180.00 OP

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 55288(0904). A duplicate copy of this paper is enclosed.

Dated: September 16, 2004

Respectfully submitted,

By

George W. Hartnell, III

Registration No.: 42,639

EDWARDS & ANGELL, LLP

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(617) 439-4444

Attorney for Applicant

